



Task Force on Trial Court Employees
DRAFT Meeting Minutes
April 14–15, 1999
Holiday Inn, Auburn, California

TASK FORCE MEMBERS:

PRESENT:

Hon. James A. Ardaiz, Chair
Ms. Pamela Aguilar
Marshal Barbara J. Bare
Hon. Aviva K. Bobb
Mr. Gary Cramer
Hon. Charles D. Field
Ms. Karleen A. George
Mr. Ronald G. Overholt
Ms. Christine E. Patton
Sheriff Charles Plummer
Mr. John Sansone
Mr. Larry Spikes
Mr. Robert Straight
Mr. Mike Vargas

ABSENT:

Ms. Diane Givens
Ms. Mary Louise Lee (Represented
by Ms. Beth Winters)
Mr. Steve Perez (Represented by
Mr. Peter Kutras)
Mr. Robert D. Walton (Represented
by Mr. David Christianson)

ADMINISTRATIVE OFFICE OF THE COURTS STAFF:

Ms. Judith A. Myers, Director, Human Resources Bureau
Ms. Deborah Brown, Attorney, Council and Legal Services
Division
Ms. Noema Olivas, Secretary, Human Resources Bureau
Ms. Hazel Ann Reimche, Human Resources Analyst, Human
Resources Bureau
Ms. Sharon Smith, Staff Analyst, Human Resources Bureau

OTHER STAFF:

Mr. Peter Kutras, Deputy County Executive, County of Santa
Clara

FACILITATOR:

Ms. Liz Schiff, Organizational Development Specialist, Human
Resources Bureau, Administrative Office of the Courts

Wednesday, April 14, 1999

I. OPENING REMARKS

Justice James A. Ardaiz, chair, called the meeting to order at 8:22 a.m. in Auburn and welcomed everyone to the eleventh meeting of the task force.

II. PUBLIC COMMENT PERIOD

Justice Ardaiz introduced Ms. Judith Kerrin of the Superior Court of California, County of Sacramento. Ms. Kerrin commented on the transition and other concerns raised by court management. She suggested that change of management training classes be offered to court employees to deal with any effects created by the implementation of a new personnel system.

III. REVIEW OF MARCH TASK FORCE MEETING AND ANNOUNCEMENT FOR TODAY'S MEETING

Justice Ardaiz summarized actions taken by the task force at the March 14–16, 1999, meeting in Fresno, which included:

- Adoption of Working Employment Protection System Model J;
- Adoption of the definition of court employee for purposes of the interim report and advisory vote;
- Agreement on the assumptions and objectives of the defined benefit retirement model for current court employees;
- Education on group health insurance from a CalPERS representative, and discussion of group insurance benefits assumptions and objectives;
- Adoption of employee advisory vote and public entity poll assumptions, objectives, and models;
- Adoption of the Working Meet and Confer Model D; and
- Review of the employment status options and identification of concerns related to the working models.

Justice Ardaiz discussed the following objectives for the current meeting:

- Provide an opportunity for communication through a public comment period;
- Finalize the definition of court employee for purposes of the interim report;
- Revisit employment status options definitions (state, county, court, other) in relation to models and discuss issues raised at March meeting, and reach consensus on revised definitions;
- Review draft interim report and reach agreement on major components;
- In relation to retirement benefits:

- Adopt final language for assumptions/objectives
- Discuss revised model and attempt to reach consensus;
- Identify pertinent transition issues of concern in relation to the three employment status options (state, court, county); and
- Provide educational information on other employer-funded benefits (other than deferred compensation and accrued leave).

Ms. Liz Schiff reviewed the agenda and ground rules for the meeting.

Justice Ardaiz asked if there were any additions or corrections to the February 25–26, 1999, meeting minutes. Sheriff Charles Plummer moved that the February minutes be accepted. Ms. Pamela Aguilar seconded the motion. The February minutes were adopted without additions or corrections.

Justice Ardaiz asked if there were any additions or corrections to the March 14–16, 1999, meeting minutes. Sheriff Plummer moved that the March minutes be accepted. Ms. Karleen A. George seconded the motion. The March minutes were adopted without additions or corrections.

IV. DEFINITION OF COURT EMPLOYEE

Ms. Judith A. Myers reviewed the revised definition of court employee and discussed the highlighted changes based on input from the task force at the March meeting. Members and staff agreed to review the modifications proposed during the following day of the meeting.

V. INTERIM REPORT: EXECUTIVE SUMMARY—PARTS I–III

Task force members were given an opportunity to review the draft interim report. There was discussion of recommendations for changes and modifications to the interim report.

VI. EMPLOYMENT STATUS OPTIONS: STATE, COUNTY, COURT, OTHER

Ms. Myers reviewed the proposed revisions to the Working Employment Status Options Definitions. The task force discussed and revised the definitions for clarity. Final adoption of the definitions was deferred until the following day of the meeting to allow the task force to review the revisions.

VII. INTERIM REPORT: PARTS V–VIII

Discussion among the task force continued regarding modifications and changes to the draft interim report.

VIII. DEFINED BENEFIT RETIREMENT MODEL FOR CURRENT COURT EMPLOYEES

Ms. Myers reviewed the revised assumptions and objectives of the defined benefit retirement model and the retirement model itself. The task force was informed that Exhibit 1—Current Court Employees: Working Consequences of Retirement Model would not be included in the interim report so that more information could be obtained on issues related to social security contributions by trial court employees. The task force members discussed and made changes to Exhibit 2—Working Impact of Current Employees Choosing County Defined Benefit Plan. Ms. Myers reviewed the revised Working Defined Benefit Retirement Model for Current Trial Court Employees D.

General agreement was reached regarding the assumptions, objectives, and retirement model. The group agreed to revisit the final adoption of the model the following day.

IX. CLOSING REMARKS

Justice Ardaiz adjourned the meeting at 5:30 p.m.

Thursday, April 15, 1999

I. OPENING REMARKS

Justice Ardaiz called the meeting to order at 8:20 a.m. Ms. Schiff reviewed the agenda for the remainder of the meeting.

II. DEFINITION OF COURT EMPLOYEE (REVISITED)

Ms. Schiff reviewed the revised definition of court employee and the task force discussed the modification. Sheriff Plummer moved to adopt the revised definition. Ms. Christine E. Patton seconded the motion. The definition of a court employee was adopted. The task force agreed to post the definition to the Web site and include it in the interim report.

III. REVISED EMPLOYMENT STATUS OPTION DEFINITIONS (REVISITED)

Ms. Schiff reviewed the revised Working Employment Status Option Definitions, and the modifications were discussed. Minor changes were made for consistency. Judge Charles D. Field moved to adopt the revised definitions. Ms. Patton seconded the motion. The Employment Status Options Definitions were adopted and will be posted to the Web site and included in the interim report.

IV. INTERIM REPORT: PART IV

Ms. Schiff facilitated a discussion of Part IV of the interim report, which contains a description of the recommended models. Task force members suggested modifications.

Sheriff Plummer introduced a motion to accept the interim report with the recommended modifications. Judge Aviva K. Bobb seconded the motion. The interim report was adopted with the following agreements:

- Staff will make changes and modifications as discussed during the April meeting;
- No other substantive changes will be made;
- Justice Ardaiz will have responsibility for determining the need for any substantive changes that require the input of the task force; and
- Staff will distribute copies to task force members, allowing a 24-hour turn-around time for task force comments.

V. WORKING DEFINED BENEFIT RETIREMENT FOR CURRENT TRIAL COURT EMPLOYEES (REVISITED)

Ms. Schiff reviewed the modifications made to the Working Defined Benefit Retirement Model for current Trial Court Employees, the Working Defined Benefit Retirement Assumptions and Objectives, and Exhibit 1, on the impact of employees' choosing the county-defined plan, as discussed the previous day. Sheriff Plummer moved to adopt the assumptions and objectives and Exhibit 1, as revised. Judge Charles D. Field seconded the motion. The Working Defined Benefit Retirement Assumptions and Objectives and Exhibit 1 were adopted and it was agreed to post them to the Web site.

The task force discussed the Working Defined Benefit Retirement Model for Current Trial Court Employees and the need for a footnote to inform interested parties that before the final report is issued, the task force will address defined benefit retirement issues for employees hired after the implementation date of the new personnel system. Ms. Patton moved to adopt the revised model. Judge Field seconded the motion. The Working

Defined Benefit Retirement Model for Current Trial Court Employees was adopted and will be posted to the Web site.

VI. TIMELINE

Justice Ardaiz commented on the narrow timelines required for the task force to accomplish its charge. The task force agreed to add a one-day meeting, tentatively scheduled for June 3, 1999. Task force members expressed their desire to hold the meeting in Southern California. The place and time will be determined by availability.

VII. TRANSITION ISSUES

Ms. Myers briefly reviewed transition strategies that were earlier provided to the task force in an educational presentation. Ms. Myers discussed issues that need to be addressed regarding the transition of current court employees to a new employment status.

The task force formed small groups and discussed transition issues, including (1) existing memoranda of understanding; (2) accrued leave, insurance-related benefits, deferred compensation, and other employer-provided benefits; (3) unfunded leave balances; and (4) transfer, layoffs, and displacements. Each group reported back to the full group and presented their discussions on each employment status option.

VIII. FEBRUARY MINUTES REVISED

Mr. John Sansone proposed the following addition to the February meeting minutes, Employment Protection System Model section:

Mr. Sansone moved that the language of paragraph II. C. 2. of the working model be revised to state that employees in unrepresented positions may be excluded from the employment protection system based on the decision of each trial court. The motion failed for lack of a second. Ms. Aguilar moved to accept the Employment Protection System Model; Marshal Bare seconded the motion. The task force approved the working model, with Mr. John Sansone opposed based on the language of paragraph II. C. 2. of the working model.

Judge Bobb moved to approve the February meeting minutes as modified; Mr. Larry Spikes seconded the motion. The February minutes were adopted.

IX. MEETING SUMMARY AND CLOSING REMARKS

Justice Ardaiz summarized the task force's accomplishments during the meeting. He thanked task force staff members for their efforts in preparing the interim report. The meeting was adjourned at 4:00 p.m.